

December 19, 1969

## CONGRESSIONAL RECORD—HOUSE

H 12829

under Government ownership and operation. The production facilities, which are located at Oak Ridge, Tennessee; Paducah, Kentucky; and Portsmouth, Ohio, represent a Government investment of approximately \$2.3 billion.

Witnesses who testified during these hearings represented the Atomic Energy Commission, the General Accounting Office, American Public Power Association, Atomic Industrial Forum, Consolidated Edison Company of New York, Consolidated Enrichment Corporation, Edison Electric Institute, National Coal Association, National Rural Electric Cooperative Association, and the Tennessee Valley Authority. Mr. Philip Sporn, testifying on his own behalf, also appeared as a witness. The record of these hearings was published in December under the title "Future Ownership of the AEC's Gaseous Diffusion Plants."

Testimony during these hearings indicated a diversity of views as to whether the plants should be transferred to private purchasers, a government corporation, or some other form of ownership, or should remain within the AEC. There were also varying views as to the timing of any such transfer.

Subsequent to the hearings and after consultation between White House officials and members of the Joint Committee, President Nixon announced on November 10 that he was requesting the AEC to continue to operate the enrichment plants, but under a separate Directorate within AEC. The President expressed the view that the Federal Government's responsibility for uranium enrichment should eventually be ended; however, AEC operation of the enrichment facilities should continue until such time as "various national interests" would best be served by the sale of the facilities to the private sector. In the interim, the President said, the AEC is to "carry on the AEC's businesslike management of plant operations and establish separate accounts fully reflecting commercial criteria for financial accounting."

On November 10, shortly after the President's announcement the Chairman of the Joint Committee issued a statement in which he generally applauded the President's plan to retain the plants under Government ownership until the day arrives—"assuming the day does arrive," he added—that they can be sold to industry "under circumstances that fully protect the public interest. . . ." Chairman Holifield expressed disappointment that the Presidential announcement set forth no specific plans to fund needed improvements to the enrichment plants. In this regard, Representative Holifield said:

"President Nixon has not yet faced up to the urgent need for starting construction for plant improvements needed to provide the national enrichment capacity to fuel the nuclear plants which will come on line in the late 1970's."

"Reliance on present enrichment service sales without a definite commitment on the part of the Administration to support an appropriation of at least \$130 million in the fiscal 1971 budget introduces an element of uncertainty which I fear will affect new acquisition of nuclear plants by electric utilities. If the Administration decides it cannot make such a budgetary commitment in the near future, I think it should advocate a self-funding Government corporation, so that assurance of funding can be arranged without further delay."

In light of the Presidential announcement, the AEC is now reexamining its enrichment service charges to determine whether any change in pricing policies is required as a

The full texts of the President's, AEC and the Joint Committee's November 10 announcements are printed on pages H 11161-H 11163, November 19, 1969 Congressional Record.

result of the proposed new operating procedures. In view of the potentially critical importance of this matter to the entire nuclear industry, the Chairman of the Committee has requested that the AEC submit the results of its review to the Committee immediately upon completion, and keep the Committee fully and currently informed of all significant interim developments in this connection.

D. The Antibalistic Missile Program: On March 4, the Joint Committee held two hearings in executive session on ABM. Representatives of the Department of Defense and of the Atomic Energy Commission presented testimony concerning aspects of the U.S. ballistic missile defense program including concept, capability, reliability, vulnerability, and command and control functions.

In early 1968 the Joint Committee announced that it had asked the General Accounting Office to maintain a surveillance of the actions being taken in connection with the proposed ABM system. The Committee has requested the GAO to continue such a review and analysis of this important program.

On August 6, 1969 the Senate defeated by a vote of 51-49 an antideployment amendment concerning the SAFEGUARD ABM system, and on December 8 the House voted to appropriate funds for initial deployment.

E. Safeguards Under Limited Test Ban Treaty: The Joint Committee has continued to maintain a careful scrutiny of the Department of Defense and the Atomic Energy Commission activities in support of the four safeguards established in connection with the Limited Nuclear Test Ban Treaty.

In 1963 during the debate on the Limited Nuclear Test Ban Treaty the Senate was assured by the Executive Department that our national security would not be jeopardized if the Treaty were signed because four "safeguards" were being instituted to insure that the United States would not be taken by surprise if the terms of the Treaty were violated. These safeguards are:

(1) the conduct of a comprehensive, aggressive underground nuclear weapons testing program;

(2) the maintenance of modern nuclear weapons laboratories;

(3) the maintenance of the necessary personnel and facilities to resume atmospheric testing on short notice in the event of an abrogation of the Treaty by the Soviet Union; and

(4) the improvement of our capability to monitor the terms of the Treaty, to detect violations and to maintain our knowledge of Sino-Soviet nuclear activities.

During the AEC FY 1970 authorization hearings on April 17, the Chairman of the AEC stated:

"The fiscal year 1970 estimate for the off-continent test readiness program will permit maintenance of essential elements of the current readiness capability while we embark on certain new activities related to the attainment of the goals of the new national nuclear test readiness plan."

On October 30, the Chairman of the Joint Committee was informed by letter from the Deputy Secretary of Defense that because of budget restrictions the Joint Task Force charged with maintaining atmospheric test readiness would be disbanded, although a small planning office would be attached to the Washington Headquarters of the Defense Atomic Support Agency.

The Joint Committee is concerned that safeguard provisions adopted in 1963 are being eroded. In the event that the Treaty is abrogated the United States may find itself in the same difficult position it was in 1961 when the USSR broke the "informal" moratorium on nuclear testing in the atmosphere. In this connection the Chairman of the Joint Committee requested the Chairman

of the AEC to provide certain classified information which the committee will evaluate prior to proceeding further.

F. Naval Reactor Program: On April 23, the Joint Committee held hearings in executive session on the naval nuclear propulsion program. At these hearings three extremely important issues were discussed: (1) the rapidly expanding Soviet naval threat, (2) the need for a vigorous nuclear submarine development and construction program, and (3) the need for upgrading our nuclear powered surface naval striking forces.

It is clear from Admiral Rickover's testimony and the testimony of other Department of Defense, Navy and Central Intelligence Agency officials to various committees of Congress that the Soviet Union is embarked on a program which reveals a singular awareness of the importance of seapower and an unmistakable resolve to become the most powerful maritime force in the world.

The Joint Committee concluded its hearings on this matter by reaffirming in the Foreword to these hearings that the Congress must take the initiative to insure that the new warships we build for our first line naval striking force will have nuclear propulsion, and to insure that the program for improving and building nuclear submarines is aggressively pursued. The hearings entitled "Naval Nuclear Propulsion Program—1969" were published in June, 1969.

G. Food Irradiation: During FY 1970 authorization hearings on April 17, testimony showed that the AEC had asked the Bureau of the Budget to include in the AEC FY 1970 budget request a total of \$1,450,000 for the two food irradiation programs, \$700,000 in Eulogy and Medicine program, and \$750,000 in Isotopes Development Program. Subsequently when the proposed AEC budget was submitted to the Congress, the entire \$1,450,000 had been deleted and the AEC's food irradiation program was eliminated.

The Joint Committee, in its report on the authorization bill, recommended that \$750,000 be restored to the budget for the purpose of conducting the Division of Isotopes Development's low dose radiation preservation studies. While no appropriations were approved for this program for FY '70, both Houses did indicate in their respective reports, that the program should be continued by using other available program funds.

The Joint Committee believes that this program has the potential for achieving far-reaching benefits and expects to continue to support work in this field.

H. Confirmation Hearings: The Senate Section of the Joint Committee met in public session on May 22 to consider the nomination of Theos J. Thompson to be a member of the Atomic Energy Commission for the remainder of the term expiring June 30, 1971. The Senate confirmed the nomination on May 26. Theos Thompson replaced Gerald F. Tape.

On August 7, the Senate Section of the Joint Committee met in public session to consider the nomination of Clarence E. Larson to be a member of the Atomic Energy Commission for the term of five years expiring June 30, 1974. The Senate confirmed the nomination on August 8. This position was held by Francesco Costagliola whose term expired on June 30, 1969.

## IV. CLASSIFIED ACTIVITIES

A. NATO: The Joint Committee continues to follow closely developments in NATO particularly the plans and programs promulgated by NATO's Nuclear Planning Group for possible response to aggression from the East.

An associated matter of concern to the Committee is the protection of classified information in NATO. In the past several years there have been significant security leaks in NATO. The most recent incident involving apparent compromise of classified information in the 91st Congress, 1st

Excerpt from CR "Activities and accomplishments of the JCAE in the 91st Congress, 1st by Rep Holifield

H12830

## CONGRESSIONAL RECORD—HOUSE

December 19, 1969

tion was revealed to the public by the arrest last August of a French national employed by NATO. He was charged with a "grave breach of security."

B. Intelligence Briefings: Representatives of the Central Intelligence Agency, the Department of Defense and the Atomic Energy Commission have presented briefings to the Committee on intelligence matters with particular reference to Communist China and the USSR.

C. Strategic Arms Limitation Talks (SALT): On November 17 the United States and the Soviet Union began talks on strategic arms limitation in Helsinki, Finland. In connection with these talks, the Chairman of the Joint Committee has exchanged correspondence with the Secretary of State and the Director of the Arms Control and Disarmament Agency. The Committee believes that these discussions bear significantly on U.S. national security and expects to follow very closely developments in this vitally important area.

D. AEC Rocky Flats Plant Fire: On May 11, a major fire occurred at the Rocky Flats Plant of the AEC. The plant, which is 21 miles northwest of Denver, Colorado, produces plutonium parts for nuclear weapons. The facility is operated for the AEC by the Dow Chemical Company. The fire, which caused an estimated \$45 million damage, occurred in Building 776-777. Several million more dollars will be required to recycle the plutonium involved in the fire and for decontamination of the building. Very little of the plutonium in the fire will not be recoverable for reconversion from the oxide to metal.

The Joint Committee sent a staff representative to the scene to provide the Committee with a first hand report on this matter. Subsequently the Joint Committee strongly urged the AEC to re-evaluate practices and procedures at Rocky Flats and other AEC installations with particular reference to improving fire prevention and fire protection.

## V. OTHER ACTIVITIES

A. IAEA: A representative of the Joint Committee on Atomic Energy participated in the 13th General Conference of the International Atomic Energy Agency (IAEA) which began September 23. The Conference representatives stressed the importance of developing effective world-wide safeguard inspection procedures to insure that nuclear material is not diverted from peaceful purposes to nuclear weapons development. It is expected that Euratom and IAEA will be discussing in detail ways and means of working out mutually acceptable inspection procedures to implement Article III of the NPT following the signature by West Germany of the Treaty.

B. Nuclear Test, Amchitka, Alaska: Congressman Chet Holifield, Chairman of the Joint Committee, was present at the control point on the island of Amchitka, Alaska, when a nuclear device of about one megaton was detonated underground on Thursday, October 2. Preceding the test, despite the assurances of the Atomic Energy Commission and its consultants that the test would be safely conducted, there were numerous groups and individuals both in and out of Alaska who opposed the test because of fear of possible aftershock and tsunami problems as well as concern for possible effects on the ecology.

In a statement on the floor of the House (Congressional Record of October 6, 1969, pp. H-9107-11) upon his return, Mr. Holifield reported, "... the test was successful in every phase ... the explosion's register on the Richter scale was exactly as predicted ... There was no release of fission products to the atmosphere ... There was no deleterious effect upon the ecology that could be traced to that event ... The

particular test on Amchitka Island has been watched closely by the Joint Committee since it was proposed some 3 years ago. We have been aware of every state of its development. We have approved the program as being essential to the national security."

C. National Accelerator Laboratory: The President's FY '70 budget requested \$96 million for construction for the National Accelerator Laboratory and the 200 BeV accelerator now under construction at Batavia, Illinois. This sum was reduced to \$64 million by the House and increased to \$70 million by a House-Senate Conference. A study made earlier in the year by the AEC had indicated that to keep construction on schedule and to produce a first proton beam by July 1972 would require a minimum of \$89 million for FY 1970 construction funds. It was estimated that funding below \$89 million, for example, at the \$50-60 million level would result in a one year delay and an increase in costs of \$30 million above the estimated total of \$250 million.

A major concern of the Joint Committee is that the scientific experts now assembled to design and supervise construction of the accelerator will become discouraged and seek employment elsewhere; thus, the 200 BeV could be delayed further. Should this happen, the United States would remain in second place in the field of experimental high energy physics, behind the Soviet Union which now has a 76 BeV accelerator at Serpukhov. At present the largest U.S. accelerator operates at about 33 BeV.

D. Nuclear Power on the Moon: The Apollo-12 astronauts left on the Moon four experiments, a central data processor and a radio system for data transmission. This Apollo Lunar Surface Experiment Package (ALSEP) is powered by a nuclear generator which uses the heat of decay of plutonium 238. The heat is applied to one side of a series of thermoelectric devices which generate electricity directly. This nuclear electrical generator, which has no moving parts, is the Space Nuclear Auxiliary Power System. It is the sole source of power for ALSEP.

The experiments, which are expected to record data for at least a year, are a passive seismic experiment, a lunar surface magnetometer, a solar wind spectrometer, and a suprathermal ion detector. The SNAP-27 generator should be functioning normally significantly longer than a year. A complete description of the moon experiments powered by the SNAP-327 nuclear power supply was placed in the Congressional Record of December 8, page E10409, by Chairman Holifield.

Two other nuclear electrical generators are also powering systems in space. The SNAP-19 is providing most of the power for the Nimbus weather satellite and the SNAP-3 navigational satellite, launched in 1961, is still operating.

E. Medical Advances: The Joint Committee has for several years encouraged the clinical research program of Dr. George C. Cotzias and his colleagues at the AEC's Brookhaven National Laboratory in the use of L-dopa for the clinical treatment of neurological diseases, with primary emphasis on Parkinson's disease. L-dopa also significantly helps miners with chronic manganese poisoning. The latest use has been against another neurological disease—dystonia musculorum deformans—which seriously affects children by twisting its victim's limbs and sometimes by making them writhe uncontrollably from head to foot.

Dr. Cotzias was awarded the Albert Lasker award in November 1969 for having developed the protocol which demonstrated the effectiveness of large daily doses of L-dopa in the treatment of Parkinson's disease. Dr. Cotzias' efforts were described by the New England Journal of Medicine as "the most important contribution to medical therapy of a neurological disease in the past 50 years."

## TRIBUTE TO HON. DOMINICK V. DANIELS

(Mr. PERKINS asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. PERKINS. Mr. Speaker, on June 3 of this year our distinguished colleague from New Jersey (Mr. DANIELS), as chairman of the Select Subcommittee on Labor, initiated what I believe are monumental hearings on legislation to encourage States to improve their workmen's compensation laws and to assure adequate coverage and benefits to employees injured in the mining industry. The specific legislation under consideration at that time was H.R. 11476.

Mr. DANIELS, as chairman of that subcommittee, diligently covered the field of workman's compensation law in intensive hearings throughout the month of June, concluding on July 15. It was largely due to the work of that subcommittee, under his leadership, that the benefit payment provisions to miners suffering from black lung disease and to the widows of miners who have died due to this disease were incorporated in the provisions of the Federal coal mine health and safety legislation which this Congress has just cleared and sent to the President for signature.

Mr. DANIELS' subcommittee, in executive session and in many meetings with staff and experts in the field, worked on all aspects of the problem of providing benefits to miners and their families where the miner, because of his exposure to coal dust, was no longer able to support his family. It is a great credit to his ability as a legislator, as a lawyer, and as a person sensitive to the needs of a group of citizens of this country who have long been ignored that title IV of the Federal Coal Mine Health and Safety Act of 1969 will soon be law. I would not want the first session of the 91st Congress to conclude without having made these observations. The monumental forward step taken in assuring healthy and safe working conditions in mines may have obscured the equally monumental legislative accomplishment that is represented by the final clearance by the House and Senate of title IV of this act.

## CONTROVERSIAL MRS. MITCHELL

(Mr. BINGHAM asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. BINGHAM. Mr. Speaker, for a while the gaucheries of Mrs. John Mitchell were good for a laugh.

But when she sees fit to ridicule Swahili, the lingua franca of much of Africa, a language which an increasing number of young black Americans are studying, it is time for some one to say: Enough.

Apparently, the Attorney General is amused by it all. Then, perhaps the President should politely but firmly ask Mrs. Mitchell to mind her manners.